

# **DEPARTMENT OF HUMAN SERVICES**

## **Code of Ethics**

The Department of Human Services (DHS Code of Ethics (Code) supports the culture of ethical and efficient service to the citizens of the State provided by the department. The Code describes the behavior expected of employees who perform these services.

### **DHS - Code of Ethics**

DHS employees must comply with all applicable laws and regulations. DHS will not condone employee conduct that either violates, or has the appearance of violating, the law, including the ethical provisions. This includes receiving payments for illegal acts, indirect contributions, rebates, or bribery.

If an employee is uncertain about the application or interpretation of any legal or procedural requirement, the employee should ask for guidance from his or her immediate supervisor.

### **Conflicts of Interest**

DHS employees must perform their duties in an ethical manner. Employees must not use their position or knowledge gained from their position for private or personal advantage. DHS Policy 1081, Ethical Standards for DHS Employees, lists certain activities that are ethically prohibited activities for state employees and officials. If an employee becomes involved in a situation that could be considered a prohibited activity, the employee should immediately communicate all the facts to his or her immediate supervisor.

### **Outside Activities, Employment, and Directorships**

In accordance with DHS Policy 1081, DHS employees must avoid acquiring any business interest, engaging in outside employment or participating in any activity outside DHS that would conflict with his or her official duties.

### **Relationships with Clients and Suppliers**

Employees must adhere to DHS Policy 1081 in their relationships with clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the DHS Director and to the Director of the Department of Finance and Administration (DFA) in accordance with Section VI.I. of DHS Policy 1081 and the Rules and Regulations for Implementing Governor's Executive Order 98-04.

### **Gifts, Entertainment, and Favors**

DHS Policy 1081 states that employees must not accept entertainment, gifts, personal favors or preferential treatment that could influence, or appear to influence, their decisions in performing their job functions. Specific procurement law addressing gratuities is codified in ACA §19-11-707.

### **Kickbacks and Prohibited Commissions**

DHS Policy 1081 also states that employees must not receive kickbacks, prohibited commissions or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law.

### **Organization Funds and Other Assets**

Employees who have access to DHS funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in DFA's Financial Management Guide or other explanatory materials, or both. If an employee has knowledge of fraud or waste of public assets, the employee should immediately advise his or her immediate supervisor.

Personal use of DHS funds or assets is strictly forbidden.

### **Organization Records and Communications**

DHS's books and records must reflect accurate and timely recording of all business transactions. Full disclosure of assets, liabilities, receipts and disbursements must be made.

Employees must not make or engage in any false record or communication whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements
- False advertising, deceptive marketing practices, or other misleading representations

### **Dealing With Outside People and Organizations**

Employees must not use their position or affiliation with DHS when communicating regarding matters not involving DHS business. Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.

When communicating publicly on matters that involve DHS business, employees must not speak for DHS on any topic, unless they are certain that the views they express are those of DHS management, and that it is DHS management's desire that such views be expressed publicly.

When dealing with anyone outside DHS, including public officials, employees must take care not to compromise the integrity or damage the reputation of DHS or any other entity.

### **Prompt Communications**

Employees of DHS shall respond promptly and accurately to all requests for information and complaints regardless of the source.

### **Privacy and Confidentiality**

When handling financial and personal information about customers or others with whom DHS has dealings, DHS employees must observe the following rules:

1. Collect, use, and retain only the personal information necessary for DHS business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
2. Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
3. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which it was obtained. Only management may release any information to persons not involved with the stated business purpose in response to a Freedom of Information Act request. Any tax information that is confidential pursuant to ACA § 26-18-303 should not be disclosed, except as allowed by law.

### **Reporting Suspected Fraud**

In accordance with DHS Policy 1084, DHS Employee Discipline Policy: Conduct/Performance, DHS employees have a responsibility to report occurrences of ethical violations, fraud, waste or abuse of DHS resources that can be verified through investigation. DHS employees shall be protected against any form of retaliation, including discharge, for reporting, in good faith, occurrences of ethical violations, fraud, waste or abuse of DHS resources as stated in the Arkansas Whistleblower Act (ACA §§21-1-601–609). Investigations to substantiate reported allegations will be conducted in a confidential manner.

Allegations of ethical violations or fraud may be reported by telephone to the Arkansas State Employees' Fraud, Waste, and Abuse Report Center (1-800-952-8248) or to the Office of Accounting - Internal Audit Section (682-0370). A complainant may also choose to report fraud, waste or abuse by completing a Complaint Form obtained at the following web site

[http://www.arkansas.gov/dfa/accounting/acc\\_ia\\_fraud\\_reporting.html](http://www.arkansas.gov/dfa/accounting/acc_ia_fraud_reporting.html). Complaint

forms can be mailed directly to the Office of Accounting - Internal Audit Section at the following address:

Department of Finance and Administration  
Office of Accounting - Internal Audit Section  
1515 West 7<sup>th</sup> Street, Room 215  
Little Rock, AR 72201